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Examiner
El Chanti, H.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

See attached (5 pages)

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)


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10/31/05

Date _____

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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Remarks for Pre-Appeal Brief Request for Review

This Pre-Appeal Brief Request for Review has been submitted to address the various deficiencies of the final Office Action mailed July 1, 2005. The following discussion highlights at least some of those deficiencies.

I. Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1, 4, 6, 8-10, 12-14, and 20-43 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Shima (U.S. Pat. No. 6,369,909). In the final Office Action, the Examiner argues that Shima teaches each and every limitation of claim 1. A review of the Shima reference, however, reveals that Shima does not teach each and every limitation of Applicant's claims as is required by 35 U.S.C. § 102. Indeed, Shima fails to teach substantially *each* limitation of Applicant's independent claims 1 and 10.

A. Claim 1

As was described in the Response to the final Office Action, Shima discloses a system including a high-function printer 2 that receives a print command from a host computer 1. The high-function printer 2 interprets the command and recognizes the "destination" of the print command. Next, the high-function printer 2 renders individual primitives included in each page to be printed. Flow from this point depends upon whether the high-function printer is or is not the "destination." If not, the high-function printer incorporates the intermediate codes into the format of a print command of a low-function language, and transfers the command to a low-function printer 3 (i.e., a network-incompatible printer), which then prints the pages. Operating in this manner, a network-incompatible printer can be used to print via a network-communicated print command. Applicant notes that references to column and line numbers of the Shima disclosure have been provided in the Response to the final Office Action, but have been omitted here for purposes of brevity.

Applicant's claim 1 provides as follows:

1. A method for printing on a local printing device using a network-based printing service associated with the local printing device, the method comprising:
obtaining a network address of the network-based printing service;

designating the network-based printing service address as a default destination such that a user browser executing on a client device is redirected directly to the network-based printing service when a print command is received;

receiving a print command provided to an imaging service with the user browser;

automatically redirecting the user browser to the network-based printing service;

accessing image data from a personal imaging repository with the network-based printing service; and

initiating a print job on the local printing device with the network-based printing service.

As is noted above, Shima fails to teach substantially *each* of the limitations of claim 1. First, Shima does not teach “obtaining a network address of the network-based printing service”. The Examiner argues that column 21, line 61 to column 22, line 28 of the Shima reference provides this teaching. However, as is clear from that portion of Shima’s disclosure, Shima does *not* describe a system that “obtains” a network address of a network-based printing service. To the contrary, the network address is *already known*. As is stated by Shima: “The print command data having a destination IP address of ‘163.141.22.51’ are transmitted to a processing routine within the network printer 11.”

Second, Shima does not teach designating a network-based printing service address as a default destination “such that a user browser executing on a client device is redirected directly to the network-based printing service when a print command is received”. As to that limitation, the Examiner argues that Shima discloses this aspect of claim 1 in column 22, lines 29-65. When that portion of the Shima disclosure is reviewed, however, it is clear that Shima says *nothing whatsoever* about designating a network-based printing service address as a “default destination” so that a “user browser executing on a client device is redirected directly to the network-based printing service when a print command is received”. Indeed, Shima fails to even mention use of a “browser” or any “redirection” of any such browser. Instead, the cited excerpt merely describes routing of print command data.

Third, Shima does not teach receiving a print command “provided to an imaging service with the user browser”. Again, column 22, lines 29-65 say *nothing* about a browser at all. In fact, the Shima reference does not even contain the word

“browser”! How can Shima be said to teach “each and every” limitation of claim 1 if the reference does not even mention use of a browser?

Fourth, Shima does not teach “automatically redirecting the user browser to the network-based printing service”. As to this limitation, the Examiner argues that column 33, lines 13-65 teach this aspect of claim 1. Once again, however, the portion of the Shima disclosure identified by the Examiner does not comprise the teaching that the Examiner alleges it does. As can be appreciated from a brief review of that portion of Shima’s disclosure, Shima says nothing about “redirecting [a] user browser”. In fact, as is identified above, Shima does not say *anything* about a “browser”. The above-identified portion merely discusses routing of image files.

Fifth, Shima does not teach “accessing image data from a personal imaging repository with the network-based printing service”. This is particularly true of column 33, lines 13-65, which is discussed above. As is described in the foregoing, the Shima system routes print command data, i.e., print jobs. *Nothing* in the Shima disclosure addresses accessing any image data from a “repository” using a “network-based printing service”. Specifically, since the image data is directly provided to the “printing service” (e.g., network printer 11), there is no need to “access” such data from a “personal imaging repository”.

In view of the foregoing, Shima clearly does not anticipate claim 1. Shima therefore does not anticipate claims 4, 6, 8, 9, or 20-34, which depend from claim 1.

2. Claims 4, 6, 8, 9, or 20-34

Applicant notes that the claims that depend from claim 1 contain additional limitations that are *clearly* not taught by Shima.

Regarding claim 4, Shima does not teach “updating a record of a current default destination with an imaging extension”.

Regarding claim 6, Shima does not teach “instructing a personal imaging repository that stores image data available for printing to designate the network-based printing service address as the default destination”.

Regarding claim 8, Shima does not teach “first detecting a direct connection between a client device and the local printing device”.

Regarding claim 9, Shima does not teach “removing the designation of the network-based printing service address as a default destination when a connection between the client device and the local printing device is severed”.

Regarding claim 22, Shima does not teach “obtaining the network address from an imaging extension”.

Regarding claims 23, 28, and 33, Shima does not teach an “imaging extension” that “comprises part of the user browser”.

Regarding claims 24 and 29, Shima does not teach an “imaging extension” that “executes on a remote network server”.

Regarding claim 25, Shima does not teach an “imaging extension” that “obtains the network address by querying the local printing device”.

Regarding claim 26, Shima does not teach “obtaining the network address from a direct connection manager that executes on the client device”.

Regarding claim 27, Shima does not teach a “direct connection manager” that “obtains the network address by querying the local printing device”.

Regarding claim 30, Shima does not teach “accessing the image data using an imaging extension”.

Regarding claim 31, Shima does not teach “downloading generic access instructions from the network-based printing service to the imaging extension to call on the imaging extension to access the personal imaging repository”.

Regarding claims 32 and 34, Shima does not teach an “imaging extension” that “comprises at least one application programming interface (API)”.

B. Claims 10, 12-14, and 35-43

Claim 10, although different in scope from claim 1, includes limitations similar to claim 1. Therefore, the discussion of claim 1 provided above also applies to claim 10. The comments provided in relation to claim 1 will not be repeated for claim 10.

Applicant refers to the discussion of claims 4, 6, 8, 22, 23, 25, 26, 27, 31, 32, and 9 in regard to dependent claims 12, 13, 14, 35, 36, 27, 28, 29, 40, 41, 42, and 43, respectively.

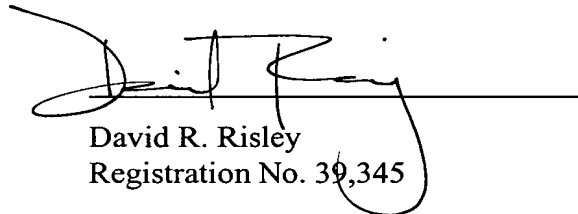
II. Claim Rejections Under 35 U.S.C. § 103(c)

Claims 2-3 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shima. As is identified above in reference to independent claims 1 and 10, however, Shima does not teach the limitations of claims 1 and 10. Applicant respectfully submits that claims 2-3 and 11, which depend from claims 1 and 10, are allowable over the Shima for at least the same reasons that claims 1 and 10 are allowable over Shima.

III. Conclusion

As is apparent from the foregoing, Shima is woefully deficient in anticipating Applicant's claims. Therefore, application of Shima's disclosure against Applicant's claims under 35 U.S.C. § 102 rises to the level of clear legal and/or factual error. Applicant therefore requests that the rejections of the final Office Action be withdrawn and a new, non-final Office Action, or Notice of Allowance, be issued.

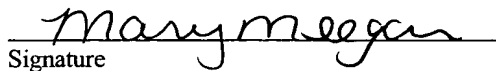
Respectfully submitted,



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